

June 2, 2021

The Trustees of the Village of Malcolm met on Wednesday, June 2, 2021, at 6:30 p.m. in open session at the Village Hall located at 137 East 2<sup>nd</sup> Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the May 20, 2021 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, May 31, 2021.

#### ROLL CALL

Little, Schweitzer, Tarr, Faubion, Lemkau

Absent: none.

The Trustees went to Larry Murray Park to further discuss whether to build another bridge from the parking lot to the playground or put a sidewalk down the old railroad right-of-way from the parking lot to the playground and picnic shelter.

Meeting resumed at 7:00 p.m. at the Village Hall.

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Judi Jirvosky, David Dickinson, Karen McCluskey

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the May 5, 2021, meeting, seconded by Schweitzer. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NAY: None; Motion carried 4-0, Abstained: Faubion.

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of May 2021, with disbursements of \$87,604.25 and deposits of \$49,640.04. Motion seconded by Lemkau. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Dave Dickerson and his wife Karen McCluskey were present to see if the Board had made any decisions regarding the 20-acre requirements for a single-family resident. David and Karen purchased the land near 126 & West Bluff Road and built a home and are now deciding what they can do with the remaining 15-20 acres. Board will further discussion this item later in the meeting.

MAINTENANCE REPORT: A report was submitted and received by the Board.

Little made a motion to have Al's Johns bring a handicapped porta-a-pot to the Larry Murray Park for the summer. Tarr seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

8:00 p.m. Little opened the Public Hearing for Ordinance 2021-03 regarding Shipping Containers within the one-mile jurisdiction and Village Limits. If past this new language will be added to the Malcolm Municipal Code Chapter 12, Article 10, effective June 2, 2021. No visitors were present for the Public Hearing.

Little closed the Public Hearing at 8:13 p.m. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0, Members absent: None.

Little made a motion to suspend the three-reading rule for Ordinance 2021-03 Faubion seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Lemkau, Faubion, Schweitzer, Tarr, Little; NAY: None; Motion carried 5-0, Members absent: None.

BACKGROUND: Ordinance for Shipping Containers: Little made a motion to approve Ordinance 2021-03, an Ordinance of the Village of Malcolm, Lancaster County, Nebraska, to define and regulation the use of Shipping Containers within the Zoning jurisdiction of the Village of Malcolm; to repeal any conflicting ordinances; and to provide for publication and an effective date. Following the reading of the Ordinance, Lemkau seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Lemkau, Faubion, Schweitzer, Little; NAY: Tarr; Motion carried 4-1, Members absent: None.

BACKGROUND: Ordinance for fee's charged in Malcolm, Impact Fee; will be tabled until the July meeting.

BACKGROUND: Ordinance for Annexation of Malcolm Methodist Church and Malcolm Road – 3<sup>rd</sup> and final reading: Little made a motion to approve Ordinance 2021-02, an Ordinance of the Village of Malcolm, Lancaster County, Nebraska, to annex and include as part of the Village of Malcolm certain contiguous and adjacent real property; extend the corporate limits; authorize a certified copy to be filed with the Register of Deeds and County Assessor; furnish services; repeal any conflicting ordinances; and provide for an effective date. Following the 3<sup>rd</sup> and final reading of Ordinance 2021-02, Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0, Members absent: None.

BACKGROUND: Codification of Malcolm Municipal Codes: quotes were received from Muni code for services for searchable Municipal Codes on the Village website. Board will review websites that already use Muni code and will further discuss at the July meeting.

Donald & Kimberly Thompson was present and submitted a Use Permit Application to run an EBAY business out of the building located at 140 W. 2<sup>nd</sup> Street. The application will be submitted to the Planning Commission at their meeting on June 30<sup>th</sup> for further review and recommendation.

BACKGROUND: Chapter 12-601(c) - 20-acre requirements for a single-family resident: Board is still doing research; item will be tabled till the July meeting.

BACKGROUND: Possibility of downtown paving – Miller & Associates surveying: Miller and Associates plan to begin surveying the downtown area next week and hope to have a report by the July 7<sup>th</sup> meeting.

BACKGROUND: Sidewalks at big park: After further discussion, Jerad will contact GANA to provide a bid for a culvert/sidewalk from the parking lot at the west end of the park to the playground area and have at the July 7<sup>th</sup> meeting.

BACKGROUND: Agreement with Nextel (Was Future Tech): Board reviewed the proposed changes made by David Solheim, Village Attorney, following further discussion, the Board approved to send the agreement back with the changes to see if NextLink will except the changes. This will be tabled until the July meeting.

BACKGROUND: Agreement with SENDD – Housing: With the Village of Malcolm being members of the Southeast Nebraska Development District (SEND), the Village of Malcolm can apply with the Nebraska Department of Economic Development (NDED) to establish an Owner-Occupied Housing Rehabilitation Program through the Community Development Block Grant (CDBG) opportunity. Eligible homeowners may receive assistance to make structural, mechanical, electrical, weatherization and plumbing improvements to their homes. After further review and discussion, Tarr made a motion to apply with NDED for the Owner-Occupied Housing Rehabilitation Program. Little seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5– 0; Members absent: None.

Recommendation 374 – Shipping Containers: A Public Hearing was held earlier in the meeting; Board reviewed Recommendation 374 before approving Ordinance 2021-03

Recommendation 375 – Building Permit – 560 Malcolm Road – Gazebo: Following further review of the recommendation, application and plans, Little made the motion to approve the building permit for Kenny & Tori Conklin for a gazebo at 560 Malcolm Road. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5– 0; Members absent: None.

BACKGROUND: Evaluations for all employees and review of Ordinance to compensation for Village employees, officials, and members of the Board of Trustees:

Little made a motion to enter Executive Session to discuss employee issues at 10:05 p.m. Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5– 0; Members absent: None.

Little made a motion to come out of Executive Session at 10:19 p.m. Faubion seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Lemkau, Faubion, Schweitzer, Tarr, Little; NAY: None; Motion carried 5-0, Members absent: None.

Little made a motion to give a 3 ½% per hour raise to Nadine Link, Don Schrader, and Michael Roesler and a \$50.00 dollar per month raise for Wayne Regnier, effective July 7, 2021. Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Lemkau, Faubion, Schweitzer, Tarr, Little; NAY: None; Motion carried 5-0, Members absent: None.

Little made a motion to increase the Board Chair to \$85.00 per meeting, Board Members to \$75.00 per meeting, and Village Clerk to \$37.50 for the first meeting and \$45.00 if a second meeting is held per month. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Lemkau, Faubion, Schweitzer, Tarr, Little; NAY: None; Motion carried 5-0, Members absent: None.

With no further business to discuss, Little moved to adjourn at 10:30 p.m. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

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Nadine Link, Village Clerk